

SENATE BILL 514

E4

2lr1793
CF HB 396

By: **Senator Shank**

Introduced and read first time: February 3, 2012

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2012

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Law Enforcement Handgun Disposal – Deceased Officers**

3 FOR the purpose of authorizing a law enforcement agency to transfer the handgun of a
4 law enforcement officer who is killed or dies in the performance of duty to
5 ~~certain members of the deceased officer's family or to the deceased officer's~~
6 ~~estate; authorizing a law enforcement agency to render the handgun of a~~
7 ~~deceased officer inoperable before transfer~~ the next of kin of the deceased officer
8 under certain circumstances; and generally relating to the disposal of handguns
9 by law enforcement agencies.

10 BY repealing and reenacting, with amendments,

11 Article – Public Safety

12 Section 3–501

13 Annotated Code of Maryland

14 (2011 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Public Safety**

18 3–501.

19 (a) In this section, “manufacturer” has the meaning stated in § 5–131(a)(2) of
20 this article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) [A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
2 law enforcement agency seeking to dispose of a handgun owned by the agency shall:

3 (1) destroy the handgun;

4 (2) sell, exchange, or transfer the handgun to another law enforcement
5 agency for official use by that agency;

6 (3) sell the handgun to a retired police employee in accordance with §
7 2-415(c) of this article;

8 (4) sell the handgun to the law enforcement officer to whom the
9 handgun was assigned; or

10 (5) sell, exchange, or transfer the handgun to a manufacturer.

11 (C) ~~(1)~~ IF A LAW ENFORCEMENT OFFICER IS KILLED OR DIES IN THE
12 PERFORMANCE OF DUTY, A LAW ENFORCEMENT AGENCY MAY TRANSFER THE
13 HANDGUN OF THE DECEASED OFFICER TO:

14 ~~(I) A MEMBER OF THE IMMEDIATE FAMILY OF THE~~
15 ~~DECEASED OFFICER; OR~~

16 ~~(II) THE ESTATE OF THE DECEASED OFFICER.~~

17 ~~(2) A LAW ENFORCEMENT AGENCY MAY RENDER THE HANDGUN~~
18 ~~OF THE DECEASED OFFICER INOPERABLE BEFORE TRANSFERRING THE~~
19 ~~HANDGUN TO THE NEXT OF KIN OF THE DECEASED OFFICER, IF:~~

20 (1) THE REQUIREMENTS OF TITLE 5, SUBTITLE 1 OF THIS
21 ARTICLE RELATING TO FIREARMS APPLICATIONS ARE MET; AND

22 (2) THE HANDGUN OF THE DECEASED OFFICER IS RENDERED
23 INOPERABLE BEFORE THE TRANSFER OF THE HANDGUN.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2012.